IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 245 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JIVA BHIMA MER

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner

MR RC KODEKAR, APP for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 20/04/2001

ORAL JUDGEMENT

#. Rule. Mr.Kodekar waives service of Rule on behalf of respondents.

#. The petitioner prayed for grant of parole leave for 40 days for construction of new house as the house in

which the petitioner and his family were residing earlier has collapsed in the earthquake of 26.1.2001. This application came to be rejected under the order dated 8.3.2001 by Addl. District Magistrate, Porbandar. The ground given for rejection of the application is not perverse. In the family of the petitioner, his son is available and he can look after this work of construction of house. This is nothing but only an attempt on the part of the petitioner to make a ground for his release from jail. In the result, this special criminal application fails and the same is dismissed. Rule discharged. No order as to costs.

.....

(sunil)